
Central Valley Regional Water Quality Control Board

16 August 2019

Steven C. Dalke
Kern Tulare Water District
5001 California Ave., Ste. 102
Bakersfield, CA 93309

NOTICE OF APPLICABILITY FOR COVERAGE UNDER ORDER NO. 2004-0004-DWQ, STATEWIDE GENERAL WASTE DISCHARGE REQUIREMENTS FOR DREDGED OR FILL DISCHARGES TO WATERS DEEMED BY THE U.S. ARMY CORPS OF ENGINEERS TO BE OUTSIDE OF FEDERAL JURISDICTION, KERN TULARE WATER DISTRICT OIL FIELD WATER REUSE PROJECT (WDID#5C15CR00105), KERN COUNTY

On 15 January 2019, the Kern Tulare Water District (District) submitted a Notice of Intent (NOI) to enroll under and comply with State Water Resources Control Board (State Water Board) Order No. 2004-0004-DWQ, Statewide General Waste Discharge Requirements for Dredged or Fill Discharges to Waters Deemed by the U.S. Army Corps of Engineers to be Outside of Federal Jurisdiction.

The Central Valley Regional Water Quality Control Board (Central Valley Water Board) has reviewed your enrollment materials and finds that the dredge/fill discharges associated with the Oil Field Water Reuse Project (Project) meets the requirements of, and is hereby enrolled under, Order No. 2004-0004-DWQ. You may proceed with your Project in accordance with the Order.

A copy of [Order 2004-0004-DWQ](https://www.waterboards.ca.gov/board_decisions/adopted_orders/water_quality/2004/wqo/wqo2004-0004.pdf) (https://www.waterboards.ca.gov/board_decisions/adopted_orders/water_quality/2004/wqo/wqo2004-0004.pdf) can be found on the State Water Resources Control Board's Adopted Orders webpage.

Please familiarize yourself with the requirements of Order No. 2004-0004-DWQ. You are responsible for complying with all applicable Order requirements. Failure to comply with Order No. 2004-0004-DWQ constitutes a violation of the California Water Code and may result in enforcement action or termination of enrollment under the Order.

PROJECT DESCRIPTION:

The proposed Project is the construction of an approximate 11-mile long underground pipeline to deliver produced water from the oil fields to the treatment facilities for agricultural irrigation. The new pipeline will be placed on or under the existing roads within the Project site. The produced water extracted from the oil fields will be treated to remove residual hydrocarbons using existing water collection and treatment facilities (e.g., surge tanks, settling ponds, and Wemco separators). No new facilities or expansion of existing facilities will be developed for project implementation. The treated water will then be transported through the underground pipeline to a reservoir for storage, and subsequently blended for distribution to irrigated agricultural fields within the District using existing water transport infrastructure.

The Project will temporarily impact 0.05 acre/228 linear feet of ephemeral drainages. Temporarily impacted areas will be restored to pre-Project condition.

PROJECT LOCATION:

The Project is in the lower foothills of the Sierra Nevada mountains north of Bakersfield, Kern County, California. The Project site is east of State Route 65, north of Famoso Road, and 1.7-miles south of Garces Highway (SR 155). The start location of the Project is at latitude 35.626483 °N and longitude 118.991422 °W and the end location of the Project is at latitude 35.7372 °N and longitude 119.0596 °W.

APPLICATION FEE RECEIVED:

A fee of \$ 1,500 was received on 15 January 2019. The remaining application fee balance of \$ 138 was received on 13 February 2019.

The fee amount was determined as required by California Code of Regulations, title 23, sections 3833(b)(3) and 2200(a)(3), and was calculated as category E - Low Impact Discharges (fee code 87) with the dredge and fill fee calculator.

MITIGATION AND MINIMIZATION MEASURES:

The District must implement the mitigation and minimization measures proposed in the Biological Analysis Report.

TERMINATION OF COVERAGE:

Upon completion of the Project, the District shall submit a complete Notice of Termination (NOT) requesting to be un-enrolled under Order No. 2004-0004-DWQ. Attachment 2 to the Order contains the NOT form.

If you have questions concerning this matter, please contact Debra Mahnke by phone at (559) 445-6281, or by email at Debra.Mahnke@waterboards.ca.gov.

Original signed by Clay L. Rodgers for

Patrick Pulupa
Executive Officer

cc: See following page

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